

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
NORTHERN DIVISION**

AVKO Educational Research Foundation, Inc.,
et.al.,

Plaintiffs and Counter-Defendants ,

v.

Thomas A. Morrow, et. al.,

Defendants and Counter-Plaintiffs.

Case no: 1:11-CV-13381-TLL-CEB

Hon. Thomas L. Ludington

Mag. Charles E. Binder

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PLAINTIFFS' REPLY TO DEFENDANTS' OBJECTIONS (ECF 62) TO
ENTRY OF ORDER
PARTIALLY GRANTING PLAINTIFFS' MOTION
TO FILE FIRST AMENDED COMPLAINT
CERTIFICATE OF SERVICE

Defendants' objections to the entry of the Order partially granting and accepting the filing of Plaintiffs First Amended Complaint, are not well taken,. Defendants are confusing the Judge's suggestion that, for the purposes of the Preliminary Hearing Motion, Plaintiff's select a theory upon which to base their request for relief. During discussions, the Court acknowledged that pleading alternatively is not inappropriate in a complaint; but wished Plaintiffs to clarify their position as pertains to the request for a preliminary injunction. The Court seemed to agree

with Defendants regarding the Replevin count, hence the partial grant of permission to file the First Amended Complaint. The order is proper.

Respectfully submitted,

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CERTIFICATE OF SERVICE

Susan Payne Woodrow certifies that she served the below interested parties by electronic filing with the CM/ECF system if they are registered users or, if they are not, by placing a true and correct copy in the United States mail, postage prepaid, to their address of record set forth below:

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